

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
) 11-00073-01-CR-W-DGK
RUSSEL B. GERLT,)
)
Defendant.)

O R D E R

On November 10, 2011, the Court ordered Defendant to undergo a second psychiatric or psychological examination pursuant to 18 U.S.C. § 4241 for a judicial determination of Defendant's mental competency. Defendant was examined by Dr. John H. Wisner, who prepared a report dated December 19, 2011. During a competency hearing held before United States Magistrate Judge John T. Maughmer on March 7, 2012, Defendant and the government stipulated to the report of Dr. Wisner. No additional evidence was presented. On March 12, 2012, Judge Maughmer entered a "Report and Recommendation," recommending that Defendant be declared competent to stand trial. No objections were filed by the parties. Therefore, after making an independent review of the record and applicable law, it is

ORDERED that the "Report and Recommendation" of Magistrate Judge Maughmer is adopted in its entirety. This Court finds that Defendant is competent to understand the nature and consequence of the proceedings against him, to assist properly in his defense, and to stand trial.

/s/ Greg Kays
GREG KAYS
United States District Judge

Date: April 2, 2012